

UNITED STATE DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v.-

HECTOR EMILIO FERNANDEZ ROSA,

Defendant.

No.: 12 Cr. 894 (RJS)

MOTION TO WITHDRAW AS COUNSEL OF RECORD

COMES NOW, Alvin E. Entin, Esq. and hereby files this Motion to Withdraw as Counsel of Record and states as follows:

1. The Defendant in this case was sentenced by this Court on August 2, 2019.
2. On August 9, 2019, Defendant, through undersigned counsel, filed a Notice of Appeal of the Sentence and Forfeiture Order in this matter.
3. There is now an Appellate case open in the Second Circuit Court of Appeals.
4. The undersigned is unaware if the Defendant has retained counsel for purposes of his appeal, or has the financial ability to hire new counsel, and thus, alternative counsel should be appointed by the Court.
5. The undersigned was in communications with one appellate attorney, Alexandra Deblasio, who was contacted by Defendant's family for possible representation in the appeal. However, Ms. Deblasio advised undersigned that the family did not retain her for purposes of appeal.
6. The undersigned has provided representatives from Defendant's family was a drafted retainer agreement for further representation in this case, however, those individuals have

not returned phone calls nor email from undersigned's office. The undersigned has been unable to reach the Defendant's family for nearly one month.

7. As the District Court case is now disposed and the appeal has been opened, the undersigned wishes to withdraw his appearance in this matter.

WHEREFORE, it is respectfully requested that this Honorable Court allow counsel to withdraw and appoint alternate counsel should the Court deem such action appropriate.

Respectfully submitted,

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By: /s/ Alvin E. Entin
Fla. Bar No. 127027

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 28th day of October, 2019, I electronically filed the foregoing document with the Clerk of Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

By: /s/ Alvin E. Entin
Alvin E. Entin